

Falls Church, Virginia 22041

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File: D2012-348

Date: MAR 5 2013

In re: ARNOLD BALIGOD FERRY, ATTORNEY

IN PRACTITIONER DISCIPLINARY PROCEEDINGS

MOTION

ON BEHALF OF DHS: Catherine M. O'Connell, Disciplinary Counsel

ON BEHALF OF EOIR: Jennifer J. Barnes, Disciplinary Counsel

On November 9, 2012, the Department of Homeland Security (the "DHS") petitioned for the respondent's immediate suspension from practice, based on restrictions on his ability to practice law in New York. On December 5, 2012, we consequently suspended the respondent from practicing before the Board, the Immigration Courts, and the DHS pending final disposition of this proceeding. On January 16, 2013, the respondent's request to set aside the immediate suspension order was denied, and he was given additional time to file an answer to the Notice of Intent to Discipline. Such answer was filed on February 12, 2013. The DHS has filed a "Motion to Dismiss Notice of Intent To Discipline And To Rescind Previously Issued Order of Immediate Suspension." The DHS acknowledges that the respondent with his answer presented evidence that he is now eligible to practice law and is an attorney in good standing in New York. The pending motion will, therefore, be granted.

ORDER: The DHS' "Motion to Dismiss Notice of Intent To Discipline And To Rescind Previously Issued Order of Immediate Suspension" is granted.

FURTHER ORDER: The Notice of Intent to Discipline in this case is dismissed.

FURTHER ORDER: The order of immediate suspension dated December 5, 2012, is rescinded.



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FOR THE BOARD